

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

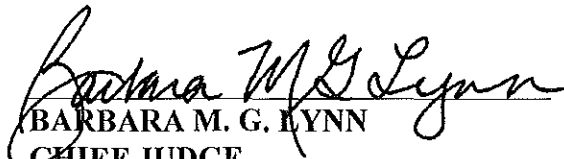
BEVERLY KIRKPATRICK MCGOWAN and MARK MCGOWAN, Plaintiffs, v. DITECH FINANCIAL, LLC, Defendant.	§ § § § § §	No. 3:15-CV-3155-M (BF)
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**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

The Court has under consideration the Findings, Conclusions, and Recommendation of United States Magistrate Judge Paul D. Stickney. The Court reviewed the Findings, Conclusions, and Recommendation for plain error. Finding none, the Court accepts the Findings, Conclusions, and Recommendation of the United States Magistrate Judge.

IT IS THEREFORE ORDERED that Defendant's Partial Motion to Dismiss [ECF No. 8] is **GRANTED IN PART**, and Plaintiffs' Third Cause of Action: Breach of Implied Covenant of Good Faith and Fair Dealing is **DISMISSED WITHOUT PREJUDICE** at this time. Plaintiffs have 21 days from the date of this order to file an amended complaint. Should Plaintiffs fail to file an amended complaint within 21 days, Plaintiffs' Third Cause of Action: Breach of Implied Covenant of Good Faith and Fair Dealing will be dismissed **WITH PREJUDICE**.

SO ORDERED this 19 day of July, 2016.


BARBARA M. G. LYNN
CHIEF JUDGE